

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule

AGING AND DISABILITY SERVICES ADMINISTRATION (ADSA)

ADSA - Division of Developmental Disabilities (DDD)							
WAC 388-513-1301, 1315; and WAC 388-515-1510	Client not in own home – Institutional; Alternative living - Institutional	New home and community based services	Adopting rules to implement new Home and Community-Based Services (HCBS) waivers from the federal Centers for Medicare and Medicaid necessary to provide services for eligible persons with developmental disabilities. New waivers replace the department's current community alternatives program (CAP) waiver. Contact: Steve Brink, ADSA-DDD.	WSR 04-08-019 Filed 3-29-2004	WSR 03-20-103 Filed 9-30-2003		
Chapter 388-820 WAC	Community residential services and support	State supplemental payment program	Amending and clarifying language; adding contracted mental health crisis diversion bed services; amending and adopting new rules to implement 2002 legislation (SSB 6387) on the DDD state supplemental payment program; and revising eligibility rules. Contact: Saif Hakim, ADSA-DDD.	WSR 04-01-143 Filed 12-16-03	WSR 02-17-068, and WSR 03-02-063	WSR 03-21-033 Hearing 11-25-2003	WSR 04-04-043 Effective 2-29-2004

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Chapter 388-820 WAC, 388-825 WAC; New Chapter 388-845	Community residential services and support; DDD services rules; Home and community Based Waiver Services	New home and community based services	Adopting rules to implement new Home and Community-Based Services (HCBS) waivers from the federal Centers for Medicare and Medicaid necessary to provide services for eligible persons with developmental disabilities. New waivers replace the department's current community alternatives program (CAP) waiver. Contact: Steve Brink, ADSA-DDD.	WSR 04-08-020 Filed 3-29-2004	WSR 03-20-103 Filed 9-30-2003		
Chapter 388-825 WAC and Chapter 388-850 WAC	DDD services rules County plan for developmental disabilities	State supplemental payment program	Amending rules and adopting new rules to implement ESSB 6387, and to comply with federal Social Security Administration requirements. Contact: Steve Brink, ADSA-DDD.	WSR 04-01-144 Filed 12-19-2003	WSR 03-18-028 Filed 8-25-03	WSR 03-21-156 Hearing 12-09-03	WSR 04-02-014 Effective 1-29-2004
Chapter 388-825 WAC	DDD services rules	Eligibility for services	Amending and clarifying language regarding appeal processes.		Planned for future action		
New Chapter 388-827 WAC	DDD-State supplemental payment program	Same	Creating a new WAC chapter to replace WAC 388-825-500 through 600 adopted by emergency rule. Adopting new rules to implement 2002 legislation (ESSB 6387) on the DDD State Supplemental Payment Program and requirements of the federal Social Security Administration. Contact: Steve Brink, ADSA-DDD.	WSR 04-01-144 Filed 12-19-2003	WSR 03-18-026 Filed 8-25-03	WSR 03-22-056 Hearing 12-09-03	WSR 04-02-015 Effective 1-29-2004

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Chapter 388-830 WAC	DDD program option rules	Same	Possible repeal of this WAC chapter.		Planned for future action		
Chapter 388-835 WAC and New Chapter 388-837 WAC	ICF/MR program and reimbursement system	Residential habilitation centers	Adopting rules to implement the 2003-2005 state operating budget bill (Sec. 205, chap. 25, Laws of 2003, 1st special session), concerning downsizing of the Fircrest School. Contact: Jeannie Johnson, ADSA-DDD.	WSR 04-02-010 Filed 12-29-2003	WSR 04-02-009 Filed 12-29-2003		
Chapter 388-835 WAC	ICF/MR program and reimbursement system	Same	Amending language to reflect new rates.		Planned for future action		
Chapter 388-850 WAC	County Plan for developmental disabilities	Same	Rewriting rules in clear rule format and clarifying language.		Planned for future action		
ASDA – Home and Community Services Division (HCS)							
Chapters 388-71 WAC, 388-72A WAC, and 388-515 WAC	Home and community services and programs; Comprehensive assessment, reporting and evaluation tool; Alternative living – Institutional medical	Medically needy (MN) in-home waiver program	The department will adopt rules to establish eligibility criteria, applicable income standards, specific waiver services, and amending other sections as needed to update program rules. Contact: Tiffany Sevruck, ADSA-HCS.		WSR 04-01-192 Filed 12-23-2003		

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WAC 388-71-0100 through 0155	Home and community services and programs	Adult protective services	Adopting rules providing an alleged perpetrator in an adult protective services (APS) report the opportunity to request an administrative hearing. Contact: Tiffany Sevruck, ADSA-HCS.	WSR 04-06-039 Filed 2-27-2004	WSR 03-17-064 Filed 8-18-2003		
WAC 388-71-0202 and 0531	Home and community services and programs	Individual provider hours	Clarifying maximum number of hours an individual provider or personal aide can be paid. Contact: Sue McDonough, ADSA-HCS. (See emergency WAC 388-71-0531, WSR 04-07-058 below).		WSR 03-17-065, Filed 8-18-2003	WSR 03-22-055 Hearing 12-09-2003	WSR 04-04-042 Effective 2-29-2004
WAC 388-71-0203, 0205; and Chapter 388-72A WAC	Home and community services and programs; Comprehensive assessment reporting & evaluation tool	Children receiving Medicaid personal care – assessment criteria	Amending rules to incorporate CARE assessment criteria for children receiving state plan Medicaid personal care (MPC) services and amending other sections as needed to implement this change. Contact: Tiffany Sevruck, ADSA-HCS.		WSR 04-01-087 Filed 12-16-2003		
WAC 388-71-0465	Home and community services and programs (HCP)	Are there waiting lists for HCP?	Amending the rules is required by legislative mandate to control caseload growth. Contact: Tiffany Sevruck, ADSA-HCS.		WSR 03-16-019 Filed 7-28-2003	WSR 03-20-104, Hearing 11-04-2003	WSR 04-01-090 Effective 01-16-2004

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WAC 388-71-0520; Amending and renumbering other training WAC 388-71-0580 through 05952	Home and community services and programs	Individual providers; home care agency workers	Amending rules and adopting new rules to implement nurse delegations requirements of HB 1753 (chap. 140, Laws of 2003). Recodifying (renumbering) other training WAC to allow for future revisions. Contact: Barbara Hanneman, ADSA-HCS.	WSR 03-20-105 Filed 9-30-2003	WSR 03-19-117 Filed 9-16-2003	WSR 03-22-091 Hearing 12-09-2003	WSR 04-02-001 Effective 1-24-2004
WAC 388-71-0531 (Repealed)	Home and community services and programs	Individual provider hours	Repealing the rule to comply with recently enacted legislation, Engrossed Substitute House Bill (ESHB) 2933	WSR 04-07-058 Filed 3-11-2004	WSR 04-07-060 Filed 3-11-2004		
WAC 388-71-0900 through 0965	Home and community services and programs	Private-duty nursing	Amending rules to clarify the intent of WAC 388-71-0900 through 0965. Contact: Sue McDonough, ADSA-HCS		WSR 04-07-061 Filed 3-11-2004		
WAC 388-71-1065 through WAC 388-71-1095	Home and community services and programs	Respite care - Family caregiver support program	Amending the respite care subchapter to include the family caregiver support program per state legislation. Contact, Tiffany Sevruck, ADSA-HCS.		Planned for future action		

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WAC 388-513-1350 and 1380	Client not in own home – institutional medical	Maximum resources allowed and client participation for long-term care services	Amending the rules to comply with new state law (ESHB 2257) to reduce the maximum resource allocation for the community spouse effective August 1, 2003; and increase the community spouse standards for long-term care program to be consistent with federal standards effective April 1, 2003. Contact: Mary Lou Percival, ADSA-HCS.		WSR 03-15-049 Filed 7-11-2003	WSR 03-24-102 Hearing 1-27-2004 (See WSR 04-02-056)	WSR 04-04-072 Effective 3-04-2004
ADSA – Residential Care Services Division							
WAC 388-76-675	Adult family homes minimum licensing	Reporting requirements/ Prevention of abuse	To comply with the recently passed legislation Engrossed Substitute House Bill 1904, relating to the reporting of incidents by mandated reporters. Contact: Dahl Kim, ADSA-RCS.		WSR 03-12-055 Filed 5-30-2003 D. Kim	WSR 03-21-123 Hearing 11-25-2003	WSR 04-01-032 Effective 1-08-2004
Chapter 388-78A WAC	Boarding home licensing	Same	Repealing new rules scheduled to take effect September 1, 2004 and adopting new replacement rules to implement 2004 legislation and to address concerns of the industry. Contact: Denny McKee, ADSA-RCS.		WSR 04-07-189 Filed 3-24-2004		

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Chapter 388-78A WAC	Boarding home licensing	Same	Possible rule revisions to comply with 2004 legislation, add definitions, clarify requirements, and make editorial corrections. Contact: Denny McKee, ADSA-RCS (See new CR-101 filing WSR 04-07-189 above)		WSR 04-06-72 Filed 3-02-2004 With- drawn 3-31- 2004, WSR 04- 08-034		
Chapter 388-78A WAC	Boarding home licensing	Same	To review and update rules to be consistent with current practices in residential care and to make it more applicable to today's boarding home residents. Current rules will be repealed and replaced with new rules in chapter 388-78A WAC. Rules effective September 1, 2004. Contact: Denny McKee, ADSA-RCS. (See new CR-101 filing WSR 04-07-189 above)		WSR 00-15-014 Filed 7-10-2000	WSR 03-03-018 Hearing 3-11-2003	WSR 03-16-047 Effective 9-01-2004 (See new CR-101 filing WSR 04-07-189 above)
WAC 388-97-125	Nursing Homes	Physician Services	Amending the rule to be consistent with recent federal clarification on the regulatory differences concerning physician delegation of tasks in skilled nursing facilities and nursing facilities. Contact: Lisa Yanagida, ADSA-RCS		WSR 04-06-055 Filed 3-01-2004		

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Chapter 388-110 WAC	Contracted residential care services; Assisted living services; Enhanced adult residential care	Same	To incorporate dementia care pilot project standards into rule for contracting with boarding homes to provide dementia care to department clients, and to make revisions necessary as a result of amendments to WAC 388-78A. Contact: Denny McKee, ADSA-RCS.		WSR 03-02-078 Filed 12-30-2002		
ADSA – Rates Management Division							
Chapter 388-96 WAC	Nursing facility Medicaid payment	Same	Codifying current policies and practices; editing previous codifications for substance and form. Contact: Patricia Hague, ADSA-Rates Management.		WSR 03-07-031 Filed 3-11-2003 P. Hague		
WAC 388-105-0005, 0030, 0040, and new WAC 388-105-0045	Medicaid rates for contracted home and community residential care services	Bed hold process, rates	Adopt permanently the July 1, 2003 rate increases and to implement SSB 5579 (Chapter 231, Laws of 2003) granting of payments to providers to hold a bed or unit when a Medicaid resident temporarily leaves the facility for a hospital or nursing home stay. Contact Patricia Hague, ADSA-Rates Management. The hearing scheduled for March 9, 2004 was rescheduled to April 6, 2004. See WSR 04-06-075.	WSR 04-06-038 Filed 2-27-2004	WSR 03-15-050 Filed 7-11-2003	WSR 04-06-075 New Hearing 4-06-2004 (WSR 04-04-044 withdrawn 3-01-04, see WSR 04-06-050)	

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CHILDREN'S ADMINISTRATION

WAC 388-25-1000, 1010, 1020, 1030, 1040, 1050	Child welfare services – foster care	State supplemental payments	Adopting new rules to allow state supplemental payments to eligible children in foster care who receive federal supplemental security income (SSI). Contact: Cindy Beckman, Children's Administration	WSR 04-07-091 Filed 3-16-2004	WSR 04-07-059 Filed 3-11-2004		
388-27-0120, 0130, 0135, 0155, 0160, 0165, 0175, 0190, 0195, 0200, 0210, 0215, 0220, 0225, 0235, 0240, 0245, 0270 and related sections.	Child welfare services – Adoption services and adoption support	Adopting special needs children	Amending rules to comply with legislative directives to control rate and reimbursement decisions with families adopting special needs children by maximizing use of federal funds. Contact: Lonnie Locke, Children's Administration.	WSR 04-03-018 Filed 1-12-2004	WSR 03-11-090 Filed 5-21-2003	WSR 04-01-088 and WSR 04-02-026 Hearing 1-27-2004	WSR 04-06-024 Effective 3-25-2004
Chapter 388-61A WAC	Shelters for victims of family violence	Same	Revising the chapter to clarify confidentiality requirements, fire safety requirements for shelter homes and appeal rights. Contact: Susan Hannibal, Childrens Administration.		WSR 03-22-087 Filed 11-05-2003		

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Chapter 388-140 WAC	Licensing standards for group receiving centers	Same	Establishing licensing procedures and standards for group receiving center currently approved under waivers. Contact: Jean Croisant, Children's Administration. Emergency rules only. Permanent rules to be incorporated into chapter 388-148 WAC (See below).	WSR 04-03-010D Filed 01-09-2004	WSR 02-20-016 Filed 9-20-2002	See WSR 04-03-116 Hearing 3-23-2004	
New Chapter 388-147 WAC	Licensing requirements for teen parent programs	Same	Creating new standards for programs assisting pregnant or new teen parents. Contact: Jean Croisant, Children's Administration.		WSR 00-22-061, Filed 10-27-2001		
Chapter 388-148 WAC	Foster homes and facility licensing requirements	Licensing requirements for foster Homes, staffed residential homes, group care facilities, and child-placing agencies	Revising rules to comply with federal funding statute and clarify language of the licensing requirements for homes, facilities, and child-placing agencies. The chapter incorporates a new set of licensing requirements for group receiving centers (see chapter 388-140 WAC above). Contact: Jean Croisant, Children's Administration.	WSR 04-05-035 Filed 2-11-2004	WSR 02-06-083 Filed 3-01-2002	WSR 04-03-116 Hearing 3-23-2004	
Chapter 388-149 WAC	Licensing standards for special model foster homes	Same	Developing consistent standards and providing regular monitoring. Contact: Jean Croisant, Children's Administration.		WSR 01-15-080 Filed 7-17-2001		

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ECONOMIC SERVICES ADMINISTRATION (ESA)

ESA- Community Services Division							
			No current rule-making activity				
ESA – Division of Child Care and Early Learning							
Chapter 388-151 WAC, Moving to New Chapter 388-297 WAC	Minimum requirements for child care centers	Moving entire chapter to new location	Repealing all sections of chapter 388-151 WAC and adopting new chapter 388-297 WAC to reorganize and clarify minimum requirements for child care centers caring exclusively for school age children. Contact: Liz Egge, ESA.		WSR 03-20-025 Filed 9-23-2003		
WAC 388-290-0075, 0085, 0190, and 0210	Working connections child care (WCCC)	Co-payments	Increasing participant family co-payment levels; eliminating unfunded portions of WCCC program to meet budget reductions. Contact: Lisa Lind, ESA.	WSR 04-05-079 Filed 2-17-2004	WSR 02-20-055 Filed 9-27-2002	WSR 04-02-047 Hearing 3-09-2004	WSR 04-08-021 Effective 4-29-2004
WAC 388-290-0130	Working connections child care (WCCC)	Background checks	Clarifying that an in-home/relative child care provider may be an eligible provider following results of a criminal background check. Contact: Carla Gira, ESA.	WSR 04-04-030 Filed 1-28-2004	WSR 02-20-055 Filed 9-27-2002	WSR 04-02-047 Hearing 3-09-2004	WSR 04-08-021 Effective 4-29-2004

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WAC 388-295-0020, 0060, 0070, 0090, 0100, 0110, 1010, 1070, 1110, 2010, 2090, 2100, 3010, 4010, 4100, 5030, 5150, 7010, 7040, 7050, and other sections as appropriate	Minimum licensing requirements for child care centers	Same	Amending rules to add clarity and correct typographical and other inadvertent errors made during the last revision. Contact: Carla Gira, ESA.		WSR 03-23-062 Filed 11-17-2003	WSR 04-05-084 Hearing 4-06-2004	
New chapter 388-296 Repealing all rules in Chapter 388-155 WAC	Child care business regulations for family home child care; Minimum licensing requirements for family child care homes	Licensing requirements for family child care homes	Revising this chapter to meet the governor's clear rule-writing mandate. Revisions will result in adopting a new chapter 388-296 WAC and repeal of current rules in chapter 388-155. Contact: Mary Oakden, ESA.		WSR 02-23-015 Filed 11-08-2002	WSR 04-07-134 Two hearings: Lacey, 6-03-2004; Spokane: 6-08-2004	
ESA- Division of Child Support							
Chapter 388-14A WAC	Division of child support rules	Collecting interest on interstate support orders	Adopting rules required by federal law to enforce interest on unpaid support arrears at the request of another state. Contact: Nancy Koptur, ESA.		WSR 04-07-113 Filed 3-18-2004		

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WAC 388-14A-1020 and 2810	Division of child support rules	Dependent children	Revising the definition of "dependent child" to make rules consistent with rules on eligibility for Temporary Assistance to Needy Families (TANF) for children older than age 18. Contact: Nancy Koptur, ESA.		WSR 04-06-053 Filed 3-01-2004		
WAC 388-14A-2000, 2025, 2080, 3800, 3810, 4000, 4300, and 4304	Division of child support rules	Modifying support obligations	Amending the rules to allow the Division of Child Support (DCS) to modify support obligations when both parties make informal arrangements and are unable to return to court to officially change the support order. Contact: Nancy Koptur, ESA.		WSR 02-03-010 Filed 1-04-2002		
WAC 388-14A-3300 through 3320	Division of child support rules	Support debt and notice of support owed	Reviewing for clarification the rules regarding the notice of support debt and the notice of support owed. Contact: Nancy Koptur, ESA.		WSR 03-23-107 Filed 11-18-2003		
WAC 388-14A-3900 to 388-14A-3925	Division of child support rules	Modification of a support order	Revising rules on review and modification of support orders; rules and procedures regarding prospective modification of administrative support orders. Contact: Nancy Koptur, ESA.		WSR 03-22-054 Filed 10-31-2003		
WAC 388-14A-3900 to 388-14A-3925	Division of child support rules	Modification of a support order	Allowing for modification of a support order when it will not change by more than the current standard. Contact: Nancy Koptur, ESA.		WSR 01-13-020 Filed 6-11-2001		

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WAC 388-14A-4000 and 6300	Division of child support rules	Payments on child support arrearages	Amending or adopting new rules as necessary, dealing with payments on child support arrearages. Contact: Nancy Koptur, ESA.		WSR 03-23-106 Filed 11-18-2003		
WAC 388-14A-4100, 4110, 4120, and 4130	Division of child support rules	Medical child support obligations	Developing new rules and procedures for enforcing medical child support obligations using the National Medical Support Notice. Contact: Nancy Koptur, ESA.	WSR 04-07-057 Filed 3-11-2004	WSR 04-07-062 Filed 3-11-2004		
WAC 388-14A-5000, other related rules	Division of child support rules	Distribution of child support payments	Clarifying DCS' ability to delay distribution of collections via the IRS offset period for no more than six months. Contact: Nancy Koptur, ESA		WSR 04-07-166 Filed 3-23-2004		
ESA – Division of Employment and Assistance Programs							
WAC 388-61-001	Family violence	Family violence – Temporary assistance to needy families (TANF)	Amending rules to align their intent with current practice. Contact: June Hershey, ESA.		WSR 02-24-068 Filed 12-03-2002		
WAC 388-273-0025, 0030, and 0035	Washington telephone assistance program (WTAP)	Same	Clarifying the payment limits for reimbursable services, and streamline the billing process. The amendment also adds community service voice mail as a WTAP benefit as provided for by Chapter 134, Laws of 2003. Contact: Steve Ebben, ESA.	WSR 04-03-097 Filed 1-20-2004	WSR 03-13-044 Filed 6-11-2003	WSR 04-07-089 Hearing 5-11-2004	

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WAC 388-310-0350; And WAC 388-484-0006	WorkFirst	Sixty-month time limit - extensions	Amending rules to clarify under what conditions a client may receive an extension past the sixty-month limit and cross-references the time limit extensions. Contact: Ian Horlor, ESA.		WSR 03-17-063 Filed 9-02-2003	WSR 3-21-153 Hearing 11-25-2003	WSR 03-24-057 Effective 1-01-2004
WAC 388-310-1500, 388-310-2000, 388-410-0001, 388-436-0040, 388-440-0001, 388-444-0055, 388-450-0005, 388-450-0165, 388-466-0130 , 388-478-0005, and 388-484-0005	Several chapters	Corrections	Amending rules to correct typographical errors and obsolete cross-references. Contact: Patti Clark, ESA.		Exempt	WSR 03-23-112 and WSR 04-02-055 Hearing 1-27-2004	WSR 04-05-010 Effective 3-08-2004
WAC 388-310-1600, 1650	WorkFirst	WorkFirst sanctions	Reducing the number of steps in sanction and require a case staffing before the sanction is imposed. The child safety-net change removes the additional time in sanction after complying and increases the time a client would be in child safety-net while complying before removing the child safety-net. Contact: Brent Low, ESA.		WSR 01-23-02 Filed 11-20-2001	WSR 04-03-095 Hearing 2-24-2004	WSR 04-07-025 Effective 5-01-2004

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WAC 388-408-0005	Assistance units	Who must be in my assistance unit?	Clarifying the rule to make clear that every TANF (Temporary Assistance to Needy Families) assistance unit must contain either an "eligible child" or a pregnant woman, although such a rule informally governs current practice. Contact: Tom Berry, ESA.		WSR 04-07-164 Filed 3-23-2004		
WAC 388-408-0025	Assistance units	When can I choose who is in my TANF or SFA assistance unit?	Amending the rule to clarify that the child's caretaker relative may choose to include no one in the grant but the child in this circumstance. Contact: Patti Clark.		WSR 03-19-032 Filed 9-09-2003		
WAC 388-408-0034 and 0035	Assistance units	Same	Amending rules to update program language and clarify whom in a residence must be in a client's assistance unit to comply with federal regulations. Contact: John Camp, ESA.		WSR 03-17-023 Filed 11-17-2003	WSR 04-02-050 Hearing 2-10-2004	WSR 04-06-025 Effective 3-25-2004
WAC 388-412-0005	Benefit issuances	General information about your basic food allotments.	Amending the rule to clarify the rule regarding receiving duplicate assistance in two assistance units or two states in the same month. Contact: Patti Clark, ESA.		WSR 03-23-108 Filed 11-18-2003		
WAC 388-414-0001	Categorical eligibility for food assistance	Some food assistance units do not have to meet all eligibility requirements.	Updating the rule to clarify requirements for clients and department staff, exercise state options within the food stamp program, and assist in consistent statewide application of policy for the Washington Basic Food Program. Contact: John Camp, ESA.		WSR 04-08-036 Filed 3-30-2004		

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WAC 388-414-0001	Categorical eligibility for food assistance	Some food assistance units do not have to meet all eligibility requirements.	Amendment will reflect changes in WorkFirst support services that impact which clients are categorically eligible for food assistance and do not have to meet certain requirements to get food assistance benefits. Contact: John Camp, ESA.		WSR 02-09-074 Filed 4-16-2002	WSR 04-04-076 Hearing 3-09-2004	WSR 04-07-139 Effective 5-01-2004
Chapter 388-416 WAC; and Chapter 388-418 WAC; Other sections as necessary	Certification periods; Change of circum- stances	Reporting requirements for basic food and temporary assistance to needy families (TANF)	Amending rules to reduce client reporting requirements under the department's simplified reporting initiative. Contact: John Camp, ESA.		WSR 03-17-085 Filed 8-19-2003		
WAC 388-418-0005	Change of circum- stances	What types of changes must I report for cash, basic food, and medical assistance?	Amending the rule to comply with federal requirements for the food stamp program and to move portions of the text of the rule so program requirements will be more easily understood. Contact: John Camp, ESA.	WSR 04-02-073 Filed 1-07-2004	Exempt	WSR 04-02-072 Hearing 2-10-2004	WSR 04-06-026 Effective 3-25-2004
WAC 388-424-0005, 0010, and 0015	Citizenship, alien status;	Same	Amending the rules to incorporate changes from federal law, and to revise the rule for clarity. Contact: Tom Berry, ESA.		WSR 03-03-007 Filed 1-06-2003		
WAC 388-426-0005	Client complaints	Correction	Correcting incorrect WAC or RCW cross-references without changing the effect of the rule. Contact: Patti Clark, ESA.		WSR 03-20-024 Filed 9-23-2003	WSR 03-23-110 Hearing 12-23-2003	WSR 04-03-050 Effective 2-15-2004

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WAC 388-434-0005	Eligibility review and re-certification	Correction	Correcting an incorrect cross-reference without changing the effect of the rule. Contact: Patti Clark, ESA.		WSR 03-19-031 Filed 9-09-2003		
WAC 434-0005, 0010 and 388-452-0005	Eligibility review and re-certification; Interview requirements	Same	Amending rules to clarify language and program requirements for the eligibility review process for cash and medical benefits, re-certification process for basic food, and interview requirements for department programs. Contact: John Camp, ESA.		WSR 03-23-061 Filed 11-17-2003		
WAC 388-436-0002	Emergency cash assistance	Additional requirements for emergent needs (ARENS)	Reducing the maximum allowable payment to prevent overspending of state funds. Contact: Amber Gillum, ESA.	WSR 04-03-098 Filed 1-20-2004	WSR 03-11-089 Filed 5-21-2003	WSR 04-02-049 Hearing 2-10-2004	WSR 04-07-023 Effective 4-08-2004
WAC 388-436-0015	Emergency cash assistance	Corrections	Correcting incorrect WAC or RCW cross-references. Contact: Patti Clark, ESA.		WSR 03-20-031 Filed 9-23-2003	WSR 03-24-055 and WSR 04-02-057 Hearing 1-27-2004	WSR 04-05-013 Effective 3-08-2004
Chapter 388-444 WAC	Food stamp employment and training	Same	Simplifying and updating language so that the rules are easier to read and use.		Planned for future action		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
Chapters 388-446 WAC; and 388-464 WAC	Fraud; Quality assurance	Fraudulent actions; failure to cooperate with process.	Adopting rules to be consistent with federal requirements; updating program language and clarify the impact of fraudulent actions or failure to cooperate with the quality assurance process. Contact: Amber Gillum, ESA.		WSR 03-24-100 Filed 12-03-2003		
WAC 388-446-0005 and 0015	Fraud	Corrections	Correcting incorrect WAC or RCW cross-references. Contact: Patti Clark, ESA.		WSR 03-20-032 Filed 9-23-2003	WSR 04-03-094 Hearing 2-24-2004	
Chapter 388-448 WAC	Incapacity	Individual responsibility plan requirements - - General assistance	Developing new individual responsibility plan requirements for general assistance recipients enrolled in WorkPlus. Contact: Steve Ebben, ESA.		WSR 01-23-065 Filed 11-20-2001		
WAC 388-448-0001, 0010, 0020, 0030, 0120, 0160, 0170, 0180, 0190, 0200 and 0210	Incapacity	General assistance – Unemployable (GAU)	Anticipating legislation governing eligibility for the GAU program that may require changes in administrative rules. Contact: Doug Sevin, ESA.	WSR 04-03-010E Filed 1-09-04	WSR 03-13-033 Filed 6-10-2003	WSR 04-02-048 Hearing 2-10-2004	WSR 04-07-140 Effective 5-01-2004
WAC 388-448-0180	Incapacity	How and when we redetermine your eligibility if we decide you are eligible for GAX.	Amending the rule to make reference to the correct type of hearing. 'Administrative hearing' needs to be replaced by 'appeals court review'. Contact: Glenda Lee, ESA.		WSR 02-11-125 Filed 5-21-2002		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-450-0015	Income	Eligibility - counting veterans benefits	Amending the rule per federal regulations requiring that veteran's benefits paid to Vietnam veterans who have children with birth defects not be counted when the department determines eligibility for temporary assistance for needy families (TANF). Contact: Patti Clark, ESA.		WSR 03-18-098 Filed 9-02-2003		
WAC 388-450-0100	Income	Allocating income	Amending the rule regarding definitions. Contact: Patti Clark, ESA.		WSR 04-05-034 Filed 2-11-2004		
WAC 388-450-0135	Income	Allocating Income of an ineligible spouse to a GAU client.	Simplifying how the department allocates income from an ineligible spouse to a general assistance recipient. Contact: Veronica Barnes, ESA.		WSR 02-08-054 Filed 4-01-2002		
WAC 388-450-0170	Income	Corrections	Correcting incorrect WAC or RCW cross-references. Contact: Patti Clark, ESA.		WSR 03-18-100 Filed 9-02-2003	WSR 03-23-111, Hearing 12-23-2003	WSR 04-03-051 Effective 2-15-2004
WAC 388-450-0190	Income	Excess shelter deduction	Amending the rule to be consistent with federal requirements.		Exempt	WSR 04-04-075 Hearing 3-09-2004	WSR 04-07-138 Effective 5-01-2004

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-450-0200	Income	Medical expenses income deduction for households with an elderly or disabled household member	Adopting rules to be consistent with federal regulations for food stamps. This revision is intended to update program language, clarify when the department allows a medical expense as an income deduction, and correct references in the rule. Contact: John Camp, ESA.		WSR 03-19-033 Filed 9-09-2003	WSR 03-23-109 Hearing 12-23-2003	WSR 04-02-025 Effective 2-01-2004
WAC 388-450-0215	Income	Corrections	Correcting editing errors that occurred in recent amendments to the rule. Contact: John Camp, ESA.		Expedited rule WSR 04-01-031 Filed 12-08-2003	Objection period ended 2-23-2004	WSR 04-06-052 Effective 4-01-2004
WAC 388-450-0500	Income	Counting Community Jobs income	Clarifying the rule on how the department uses income from Community Jobs to determine TANF and Basic Food Assistance benefits. Contact: Ian Horlor, ESA.		WSR 04-07-085 Filed 3-16-2004		
WAC 388-452-0005	Interview	Telephone interviews	Amending the rule to incorporate an approved federal waiver allowing phone interviews for clients re-certifying benefits regardless of hardship.		WSR 03-23-061 Filed 11-17-2003	WSR 04-06-040 Hearing 4-06-2004	
WAC 388-454-0006, and 0025	Living with a relative	Background checks	Revising rules on background checks on adults who are acting <i>in loco parentis</i> (in place of another) without court ordered custody. Contact: Stephanie Del Camp, ESA.		WSR 02-11-061 Filed 5-10-2002		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-454-0010	Living with a relative	Corrections	Correcting information in the rule. Contact: Patti Clark, ESA.		Exempt	WSR 03-24-056 and WSR 04-03-010F Hearing 1-27-2004	WSR 04-05-012 Effective 3-08-2004
Chapter 388-460 WAC	Payees on benefit issuances	Protective payee policies	Proposing changes to protective payee policies. Contact: Brent Low, ESA.		WSR 01-23-067 Filed 11-20-2001		
WAC 388-468-0005	Residency	Same	Amending rules to prohibit the receipt of benefits from Washington state while receiving comparable benefits from another state. Contact: Ken Adney, ESA.		WSR 03-14-080 Filed 6-27-2003		
WAC 388-470-0040	Resources	Correction	Correcting incorrect WAC or RCW cross-references. Contact: Patti Clark, ESA.		WSR 03-20-033 Filed 9-23-2003		
WAC 388-472-0005	Rights and responsibilities	What are my rights and responsibilities?	Amending this rule to clarify information regarding requirements for receiving children's family medical, pregnancy medical, and SSI-related medical. Contact: Patti Clark, ESA.		WSR 03-19-035 Filed 9-09-2003		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-472-0010	Rights and responsibilities	Correction	Correcting an obsolete WAC cross-reference. Contact: Patti Clark, ESA.		WSR 03-21-150 Filed 10-22-2003	WSR 04-03-093 Hearing 2-24-2004	
WAC 388-478-0015	Standards for payments	Need standards for cash assistance	Amending the rule to reflect new standards based on actual living costs. Contact: Patti Clark, ESA.		WSR 03-15-125 Filed 7-22-2003	WSR 03-19-070 Hearing 10-21-2003	WSR 03-23-116 and 03-24-059 Effective 1-01-2004
WAC 388-478-0055	Standards for payments	State supplemental payment program (SSP)	Amending the rule adding the additional categories of Supplemental Security Income (SSI) recipients who get SSP and the payment amount. This change updates SSP payment amounts and includes payment amount information for calendar year 2004. Contact: Carole McRae, ESA.	WSR 04-02-011 Filed 12-29-2003	WSR 03-18-101 Filed 9-02-2003	WSR 03-21-124, Hearing 11-25-2003 Supplemental, WSR 04-03-096, Hearing 2-24-2004	WSR 04-07-024 Effective 4-08-2004
Chapter 388-490 WAC	Verification	Proof of eligibility	Streamlining the application process by standardizing how the department requests proof of eligibility. Contact: Veronica Barnes, ESA.		WSR 02-14-159, Filed 7-02-2002		
Chapter 388-492 WAC	Washington combined application program (WASHCAP)	Same	Changing rules to comply with a revised federal waiver. The new rules will further define WASHCAP eligibility. Contact: Carole McRae, ESA.	WSR 04-05-003 Filed 2-05-2004	WSR 04-04-097, Filed 2-03-2004		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propo- sed Rule	Perm- anent Rule
WAC chapter not yet specified		Client reporting requirements	Implementing quarterly reporting for clients.		Planned for future action		
WAC chapter not yet specified		Overpayments to clients	Eliminating overpayments caused by agency error and amending all related rules. Contact: Veronica Barnes, ESA.		WSR 00-09-036, Filed 4-14-2000		

HEALTH AND REHABILITATIVE SERVICES ADMINISTRATION (HRSA)

HRSA – Division of Alcohol and Substance Abuse (DASA)							
			No current rule-making activity				
HRSA – Division of Vocational Rehabilitation (DVR)							
Chapter not specified	Background checks for DVR service providers	Background checks for DVR service providers	Adopting rules on background checks for Division of Vocational Rehabilitation (DVR) service providers who have unsupervised access to DVR clients. Contact: Susan Hartman, HRSA-DVR.		WSR 03-24-101, Filed 12-03-2003		
HRSA – Mental Health Division (MHD)							

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emergency Rules	Preproposal Notice	Proposed Rule	Permanent Rule
WAC 388-865-0100 through 0484	Community mental health and involuntary treatment programs	Community support service providers	Revising rules to be consistent with the federal balanced budget act, and for quality improvement. Contact: Karie Castleberry, HRSA-MHD.		WSR 03-08-077 Filed 4-01-2003		
WAC 388-865-0335 and 0340	Community mental health and involuntary treatment programs	Enrollment and disenrollment	Amending and repealing rules to be consistent with the provisions of the waiver (Section 1915 (b) of the Social Security Act) from the federal funding source for Medicaid recipients. Contact: Hank Balderrama, HRSA-MHD		WSR 04-05-075 Filed 2-17-2004		
WAC 388-865-0400 Series	Community mental health and involuntary treatment programs	Adult residential treatment facility certification	Revising the rules to be consistent with rules of the state Department of Health. Contact: Kathy Burns Peterson, HRSA-MHD.		WSR 03-17-062 Filed 8-16-2003		
WAC 388-865-0465	Community mental health and involuntary treatment programs	Adult residential treatment facility certification – additional standards	Amending the rule to correct an incorrect WAC cross reference. Contact: Kathy Burns Peterson, HRSA-MHD		Exempt	WSR 04-05-081 Hearing 3-23-2004	
WAC 388-865-0465 (new)	Community mental health and involuntary treatment programs	Adult residential treatment facility certification – additional standards	A new rule developed to be consistent with the Residential Treatment Facilities rules of the Department of Health. Contact: Kathy Burns Peterson, HRSA-MHD.		WSR 03-17-062 Filed 8-16-2003	WSR 03-22-090 Hearing 12-09-2003	WSR 04-01-091 Effective 1-16-2004

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-865-0500 through 0565	Community mental health and involuntary treatment programs	Inpatient evaluation and treatment	Revising rules to be consistent with Department of Health rules on residential treatment facilities. Contact: Kathy Burns Peterson, HRSA-MHD.		WSR 03-07-041 Filed 3-13-2003	WSR 03-18-103 Hearing 10-21-2003	WSR 04-07-014 Effective 4-04-2004
HRSA – Special Commitment Center							
			No current rule-making activity				
HRSA – Office of Deaf and Hard of Hearing Services							
			No current rule-making activity				

JUVENILE REHABILITATION ADMINISTRATION (JRA)

Chapter 388-700 WAC	Juvenile rehabilitation administration – Practices and procedures	Background checks	Potential revisions due to changes in background check procedures. Contact: Cheryl-Sullivan Colglazier, JRA.		Planned for future action		
Chapter 388-745 WAC	Transfer of juvenile offenders to the Department of Corrections (DOC)	Transfers to DOC	Potential revisions due to changes in transfer procedures. Contact: Cheryl-Sullivan Colglazier, JRA.		Planned for future action		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
Chapter 388-750 WAC	Impact account – Criminal justice cost reimbursement	Reimbursement rates and procedures for criminal justice impact	Potential rule changes to clarify reimbursement rates. Contact: Cheryl-Sullivan Colglazier, JRA.		Planned for future action		

MANAGEMENT SERVICES ADMINISTRATION (MSA)

Chapter 388-02 WAC	DSHS hearing rules	Same	Revising rules to clarify or modify the right to review by the DSHS Board of Appeals of interim and initial orders entered by Office of Administrative Hearings of certain cases; to clarify and simplify the rules, to make rules consistent with statutes and court decisions; and to update WAC and RCW references. Contact: Brian Lindgren, MSA	WSR 04-07-090 Filed 3-16-2004	WSR 03-21-149, Filed 10-22-2003		
Chapter 388-03 WAC	Certification of DSHS spoken language interpreters and translators	Same	Updating the chapter's references to units of DSHS (such as Language Interpreter Services and Translations, or LIST) that have been reorganized and renamed, to change timeframes for DSHS mailing of letters notifying applicants of their test dates, and other needed changes. Contact: Brian Lindgren, MSA.		WSR 04-01-142, Filed 12-19-2003		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule

MEDICAL ASSISTANCE ADMINISTRATION (MAA)

WAC chapter not designated	Medical Nutrition Program	Possible new WAC chapter	Establishing the Medical Nutrition Program in rule; setting requirements, limitations and restrictions for the program. Contact: Kathy Sayre, MAA.		WSR 03-18-102 Filed 9-02-2003		
WAC 388-416-0005, WAC 388-418-0005, and 0025; WAC 388-434-0005	Certification periods; Change of circumstance ; Eligibility review and recertifications	Children and family medical programs - eligibility	Implementing legislation initiating a six-month eligibility review and eliminating continuous eligibility for children. Proposed WAC 388-418-0005 withdrawn, see WSR 04-02-052, filed 1-05-2004. Contact: Mary Wood. MAA	WSR 03-21-004 Filed 10-22-2003	WSR 03-14-077 Filed 6-27-2003	WSR 03-19-068 Hearing 10-21-2003	WSR 04-03-019 Effective 02-12-2004
WAC 388-434-0005		Eligibility reviews and certifications	Amending the rule to eliminate the requirement for one parent in a household to sign the medical eligibility review, allowing for review received electronically or by phone interview. Contact: Mary Wood, MAA.		WSR 04-07-086 Filed 3-16-2004		
WAC 388-438-0110			Amending the rule to eliminate coverage for organ transplants and related coverage. Contact: Joanie Scotson, MAA.	WSR 03-22-027 Filed 10-28-2003	WSR 03-10-088 Filed 5-06-2003	WSR 03-20-074 Hearing 11-04-2003	WSR 03-24-058 Effective 1-01-2004

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-416-0030 388-438-0100; and WAC 388-503-0505	Certification periods; Emergency assistance for medical needs; Persons eligible for medical assistance	Medically indigent program	Revising rules to implement the 2003-05 operating budget bill (chapter 25, Laws of 2003) that eliminated funding for the medically indigent program.	WSR 04-06-023 Filed 2-23-2004	WSR 03-12-054 Filed 5-30-2003	WSR 04-04-074 Hearing 4-09-2004	WSR 04-07-141 Effective 4-22-2004
Chapters 388-450 WAC; 388-475 WAC; and 388-511 WAC	Income; Healthcare for workers with disabilities program; SSI-related medical eligibility	Supplemental Security Income (SSI)	Combining SSI-related medical eligibility rules into chapter 388-475 WAC for easier reference and to revise the rules for clarity. Contact: Mary Beth Ingram, MAA.		WSR 00-12-079 Filed 6-06-2000	WSR 03-20-076; 077; 078; and 079 Hearing 11-4-2003	
WAC 388-478-0075	Standards for payments	Standards	Amending the rule to implement new federal poverty level standards taking effect April 1, 2004. Contact: Mary Woods, MAA	WSR 04-07-143 Filed 3-22-2004	WSR 04-07-165 Filed 3-23-2004		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-478-0080	Standards for payments	Supplemental security income (SSI) – categorically needy income level and countable resource standards	Revising the rule to qualify for continued federal financial participation. Contact: Wendy Forslin, MAA.	WSR 04-02-012 Filed 12-29-2003	WSR 03-08-085 Filed 4-01-2003		
WAC 388-478-0085	Standards for payments	Medicare savings program	Amending the rule to adopt new federal poverty level standards effective April 1, 2004. Contact: Joanie Scotson, MAA	WSR 04-07-167 Filed 3-23-2004	WSR 03-08-081 Filed 4-01-2003		
WAC 388-500-0005; and WAC 388-501-0165	Medical definitions; Administra- tion of medical programs - general	"Medically necessary" definition	Amending the definition of "medically necessary" to incorporate the use of medical information that is supported by scientific evidence in its determination of services. Amending WAC 388-501-0165 to be consistent with the medically necessary definition. Contact: Ann Myers, MAA.		WSR 02-24-010 Filed 11-22-2002	WSR 03-22-088 and 089 Hearing 12-09-03 Continu- ance filed WSR 04-01-043 & 044	
WAC 388-501-0135	Administra- tion of medical programs	Patients requiring regulation	Amending policy to improve medical supervision of patients who inappropriately overuse medical & pharmaceutical services. Contact: Wendy Boedigheimer, MAA.		WSR 03-20-058 Filed 12-27-2002	WSR 03-20-073 Hearing 11-04-2003	WSR 04-01-099 Effective 1-16-2004
WAC 388-502-0160	Administra- tion of medical programs	Billing a client	Amending the rule to implement budget reductions directed by the State Legislature. Contact: Wendy Boedigheimer, MAA		WSR 04-07-088 Filed 3-16-2004		

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				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-502-0220, 0230, and 0260	Administratio n of medical programs - providers	Vendor dispute resolution	Updating the vendor dispute resolution process. Contact: Kevin Sullivan, MAA.		WSR 01- 16-135 Filed 7-31- 2001		
WAC 388-505-0211	Premiums – Children’s medical	Same	Adopting language required to implement the premium requirement for optional children as allowed by ESHB 2459, the 2004 supplemental operating budget bill. Contact: Joanie Scotson, MAA.		WSR 03- 14-079 Filed 6-27- 2003	WSR 03- 21-152 Hearing 11-25- 2003	
WAC 388-513--1325	Client not in own home – Institutional medical	Income of a single client for long-term care services	Adding income requirements currently found in other rules; correcting incorrect WAC cross- references. Contact: Mary Beth Ingram, MAA.		WSR 02- 24-070 Filed 12- 03-2002		
WAC 388-513-1340; and WAC 388-450-0020	Client not in own home – Institutional medical; Income	Income exclusions	Clarifying that veterans aid and attendance and unusual medical expense can be considered third- party resources. Contact: Mary Beth Ingram, MAA.		WSR 03- 08-086, Filed 4-01- 2003		
WAC 388-513-1350, and 1380	Client not in own home – Institutional medical	Maximum resources allowed and client participation for long-term care services	Amending the rules to reduce the maximum resource allocation for the community spouse; and increase the community spouse standards for long-term care program to be consistent with federal standards effective April 1, 2003. Contact: Mary Beth Ingram, MAA. See also ADSA- HCS rules.	WSR 04- 02-013 Filed 12- 29-2003	WSR 03- 15-049 Filed 7-11- 2003	WSR 03- 24-102 and WSR 04-02- 056 Hearing 1-27- 2004	WSR 04- 04-072 Effective 3-04-2004

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
Chapter 388-526 WAC	MAA administra- tive hearings	Same	Amending this WAC chapter to better define the scope of this rule and to add procedural requirements to MAA's client hearing process. Contact: Kevin Sullivan, MAA.		WSR 04-04-096 Filed 02-03-2004		
WAC 388-527-2700, 2730, 2733, 2740, 2742, 2754, 2790 (amended), and 388-527-2792 (new)	Estate recovery	Same	Implementing changes from new federal guidelines and chapter 7, Laws of 2001 on estate recovery. Contact: Wendy Boedigheimer, MAA; and increasing the scope of the state's recovery of costs of medical care from a client's estate. Contact: Wendy Boedigheimer, MAA.		WSR 02-02-052 Filed 12-27-2001	WSR 04-05-082 Hearing 3-23-2004	
Chapter 388-529 WAC	Scope of Medical Services	Covered services	Updating the scope of medical services chart that shows what medical services are covered under the department's medical assistance programs. Contact: Kevin Sullivan, MAA.		WSR 04-06-054 Filed 3-01-2004		
WAC 388-530-1300	Prescription drugs	Same	Amending rules requiring pharmacies to dispense the most "cost-effective" form of a drug. Contact: Wendy Boedigheimer, MAA.		WSR 03-11-086 Filed 5-20-2003	WSR 03-20-075 Hearing 11-04-2003	WSR 04-01-089 Effective 1-16-2004
WAC 388-530-1850	Prescription drugs	Drug Utilization and Education (DUE) Council	Renaming the Drug Utilization and Education Council to the Pharmacy and Therapeutics Committee per chapter 29, Laws of 2003. Contact: Wendy Boedigheimer, MAA.		WSR 04-03-089 Filed 01-20-2004	WSR 04-07-137 Hearing 4-27-2004	

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-531-0275	Physician-related services	Medical teaching and residency	Revising rules to remain current with medical teaching and residency programs. Contact: Wendy Boedigheimer. MAA.		WSR 03-08-084 Filed 4-01-2003		
Chapter 388-532 WAC	Family planning services	Same	Revising rules to better identify persons eligible for family planning services. Second public hearing held October 7, 2003. Contact: Wendy Boedigheimer, MAA.		WSR 02-09-048 Filed 4-12-2002	Original: WSR 03-12-067 Supplemental: WSR 03-18-108, Hearing 10-07-2003.	WSR 04-05-011 Effective 3-08-2004
Chapter 388-533 WAC	Maternity-related services	Maternity services and First Steps	Changing eligibility criteria for infant case management, defining core services, changing codes and time limits for billing, integrating maternity case management with maternity support services, and creating a separate rule for childbirth education. Contact: Wendy Boedigheimer, MAA.		WSR 03-15-124 Filed 7-11-2003	WSR 04-05-083 Hearing 4-06-2004	
WAC 388-533-701, 710, 720, 730 (new)	Maternity-related services	Chemical-using pregnant women program	Adopting rules on the chemical-using pregnant (CUP) women program, which assists pregnant women in maintaining sobriety to ensure healthier birth outcomes. Contact: Kevin Sullivan. MAA.		WSR 03-11-085 Filed 2-50-2003	WSR 04-07-136 Hearing 4-27-2004	

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
Chapter 388-535 WAC	Dental related services	Children's dental	Updating and clarifying current policy regarding the children's dental program; updating and clarifying other sections in this chapter. Contact: Kathy Sayre, MAA.		WSR 04-07-115 Filed 3-18-2004		
WAC 388-535-1050 and 1065	Dental related services	Corrections	Correcting two typographical errors. Contact: Andy Fernando, Rules and Policies Assistance Unit.		Expedited Rule WSR 04-07-142 Filed 3-22-2004	Written objection deadline: 5-24-2004	
Chapter 388-535A WAC	Orthodontic services	Federal Health Insurance Portability and Accountability Act of 1996 (HIPAA)	Revising rules to update and clarify existing policy regarding orthodontic services, including program definitions, provider requirements, expedited prior authorization, and reimbursement; and to incorporate federal HIPAA requirements into permanent rule. Contact: Kathy Sayre, MAA.	WSR 04-04-073 Filed 02-02-2004	WSR 03-20-103 Filed 9-30-2003		
Chapter 388-536 WAC	Federally qualified health centers and rural health centers	Same	Adopting a new WAC chapter will comply with federal financial changes, section 702 of BIPA 2000, & legislative directive to implement prospective payment system. Contact: Wendy Boedigheimer, MAA.		WSR 02-06-088 Filed 3-01-2002		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-538-060	Managed care	Managed care and choice	Amending the rule to make the process of enrolling for Medicaid managed care more efficient and to simplify the administrative process. Contact: Ann Myers, MAA.		WSR 03-16-020 Filed 7-28-2003		
WAC 388-538-063 and WAC 388-505-0110	Managed care Premiums – Children’s medical	Medical care services management pilot project	Implementing a medical care services management pilot project for clients who receive general assistance (GAU) benefits, designed to maximize care coordination, high-risk medical management, and chronic care management to achieve better health outcomes. The pilot project to be operated in King and Pierce counties. Contact: Wendy Boedigheimer, MAA.		WSR 04-04-095 Filed 02-03-2004		
WAC 388-538-112	Managed care	MAA fair hearing process for enrollee appeals of managed care organization (MCO) Actions.	Amending the rule to include DSHS as party to hearings – language inadvertently left out of the previous adoption. Contact: Ann Myers, MAA.		WSR 03-21-151 Filed 10-22-2003	WSR 04-07-135 Hearing 4-27-2004	
WAC 388-542-0100, 0125, 0500	Children’s health insurance program (CHIP)	Corrections	Correcting incorrect WAC cross-references. Contact: Ann Myers, MAA.		Expedited Rule WSR 03-19-067 Filed 9-12-2003	Objection period ended 11-17-2003	WSR 04-08-018 Effective 4-29-2004

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
Chapter 388-544	Vision and hearing aids	Vision care	Reorganizing vision care rules to ensure consistency with other MAA program rules, to clarify current program policy, to add coverage for disposable contact lenses, and to discontinue or limit coverage for glass lenses. Contact: Wendy Boedigheimer, MAA		WSR 04-07-087 Filed 3-16-2004		
Chapter 388-546	Non-emergency medical transportation	Same	Clarifying language and current policy for non-emergent medical transportation services. Contact: Allen Richards, MAA.		WSR 03-08-023 Filed 3-26-2003		
Chapter 388-546	Non-emergency medical transportation	Same	Updating and clarifying existing policy regarding emergency transportation services; aligning policy with Medicare policy and adding new sections on trauma supplemental payment, and other revisions. Contact: Wendy Boedigheimer, MAA.		WSR 04-02-060, Filed 1-06-2004		
Chapter 388-550 WAC	Hospital services	Outpatient hospital services – payment methods	Implementing a new Medicaid payment method for outpatient hospital services provided to Medicaid clients. The outpatient prospective payment system (OPPS) uses claims and cost data to calculate payments for outpatient hospital services provided to eligible medical assistance clients. Contact: Kathy Sayre, MAA.		WSR 04-03-092 Filed 01-20-2004		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-550-1900	Hospital services	Interns, residents, teaching physicians and physician preceptorships	Amending rules to be consistent with industry standards; establishing MAA standards for supervising interns and residents in non-hospital settings; and expanding definition of "under primary care" exception. Contact: Wendy Boedigheimer, MAA.		WSR 02-06-084, Filed 3-01-2002		
WAC 388-550-2598	Hospital services	Critical access hospitals	Revising the method for cost settlement for services provided to clients eligible under the department's managed care programs to ensure that critical access hospitals receive the correct level of reimbursement. Contact: Kathy Sayre, MAA.		WSR 04-01-141, Filed 12-19-2003		
WAC 388-550-2800, 4800, 5450 (new) and 6000; Chapter 388-531 WAC; and Chapter 388-546 WAC	Hospital Services Physician-related services; and Medical Transportation	Trauma services network	Adopting rules to encourage participation in the trauma services network. Contact: Kathy Sayre, MAA.		WSR 03-04-087 Filed 2-02-2003		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emergency Rules	Preproposal Notice	Proposed Rule	Permanent Rule
WAC 388-550-2800, and 2900	Hospital services	Newborn infant screening	Incorporating into rule certain newborn screening tests to the newborn metabolic screening panel and lists the specific disorders the screening tests can detect. Tests were approved through legislative direction and are to be performed for medical assistance clients in conjunction with the Department of Health (DOH). Contact: Kathy Sayre, MAA.		WSR 04-03-091 Filed 1-20-2004		
WAC 388-550-3100	Hospital services	Diagnostic-related group (DRG) formula	Amending the rule to allow the department to use a broader database for calculating relative weights for the diagnostic-related group (DRG) formula. Contact: Kathy Sayre, MAA		WSR 04-05-085A Filed 2-17-2004		
Chapter 388-550-4800 WAC	Hospital services	Diagnosis-related group (DRG) high-cost outliers; Medically indigent program; General assistance-unemployable program	Clarifying how MAA determines payments for state-administered program claims that qualify as diagnosis-related group (DRG) high-cost outliers; removing language regarding enhanced payments for trauma care provided to a client eligible under the medically indigent (MI) program or general assistance-unemployable (GAU) program.; adding a table that shows high-cost outlier calculations for qualifying claims for state-administered programs. Contact: Kathy Sayre, MAA.		WSR 03-13-089 Filed 6-16-2003		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emer- gency Rules	Prepro- posal Notice	Propos- ed Rule	Perm- anent Rule
WAC 388-550-4900, 5000, 5100, and 5200; possible new sections in this chapter	Hospital services	Disproportionate share hospital (DSH) programs	Adopting and amending rules to incorporate small rural indigent DSH and non-rural indigent DSH programs and establish payment calculation methods for these programs; clarifying and updating payment methods for other DSH programs; adopting a new section on an administrative appeal process for DSH program participants. Contact: Kathy Sayre, MAA.		WSR 04-03-090 Filed 01-20-2004		
Chapter 388-551 WAC	Alternatives to hospital services	Hospice care services; pediatric palliative care	Incorporating language from current agreements with Hospice Care Centers into the Hospice Services WAC; the Pediatric Palliative Care Program is being incorporated into rule; and clarifying and updating hospice services rules. Contact: Kathy Sayre, MAA.		WSR 04-07-114 Filed 3-18-2004		
Chapter 388-551 WAC	Alternatives to hospital services	Home health services	Updating and clarifying current program policy and to establish a tiered health care plan that includes a continuum of home health care. Contact: Kathy Sayre, MAA.		WSR 04-02-061 Filed 1-07-2004		
WAC 388-551-1000, 1010, 1200, 1210, 1300, 1310, 1315, 1320, 1330, 1340, 1350, 1360, 1400, 1410, 1500, 1510, 1520, and 1530	Alternatives to hospital services	Hospice care program	Incorporating language from current agreements with hospice care centers into rule, and to update and clarify language. Contact: Kathy Sayre, MAA.		WSR 01-03-095 Filed 1-18-2001		

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emergency Rules	Preproposal Notice	Proposed Rule	Permanent Rule
New chapter 388-553 WAC	Home infusion therapy/ parenteral nutrition program	Eligibility and coverage standards	New rule to establish standards of eligibility and coverage for home infusion therapy and parenteral nutrition that will provide eligible clients access to these services. Contact: Kathy Sayre, MAA.		WSR 03-10-049 Filed 5-01-2003	WSR 03-24-103 and 04-02-055 Hearing 1-27-2004	
Chapter 388-554 WAC (New)	Medical nutrition program	Same	Establishing the Medical Nutrition Program in rule; setting requirements, limitations and restrictions for the program		WSR 03-18-102 Filed 9-02-2003		
Chapter 388-555 WAC	Interpreter services	Purchase and service delivery	Changing how interpreter services are purchased and delivered. Implements 2002 legislative directives in SB 6832. Contact: Myra Davis, MAA.		WSR 02-11-027 Filed 5-21-2002		

OFFICE OF THE SECRETARY / DSHS HEADQUARTERS PROGRAMS

Chapter 388-01	DSHS organization/ Disclosure of public records	Same	Updating and clarifying current rules to reflect changes and improvements in procedures for responding to public requests for disclosure of records. Contact: Kristal Wiitala Knutson, Office of the Secretary.		WSR 02-01-007 Filed 12-07-2001		
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WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emergency Rules	Preproposal Notice	Proposed Rule	Permanent Rule
Chapter 388-06	Background Checks	Same	Revising background check rules to incorporate additional DSHS programs. Contact: Jackie Beery, Background Check Central Unit.		Planned for future filing		
WAC 388-720-0020	Collection of costs of support, treatment and confinement of juveniles in custody	Cost reimbursement schedule	Amending the rule to clarify "ability to pay" to help determine a responsible party's cost of support, treatment or confinement of a juvenile in custody. Contact: Bill Stoner, Financial Services.		WSR 03-18-099 Filed 09-02-2003	WSR 03-23-020 and 04-02-059 Hearing 1-27-2004	WSR 04-05-080 Effective 3-19-2004

Explanation of selected terms used in these tables:

A **"Preproposal Notice"** is a **CR-101 Preproposal Statement of Inquiry**, filed under RCW 34.05.310. This is a preliminary notice to the public that the agency is in the planning stages to adopt, amend or repeal rules on a particular subject, and the laws authorizing the agency's action. The notice also lets the public know how to participate in the development of the agency rule, and identifies the agency's contact person. "CR" stands for Code Reviser.

A **"Proposed Rule"** is a **CR-102 Proposed Rule-Making** notice, filed under RCW 34.05.320. The proposed rule notice is an announcement that includes: 1) a general description of the rules that the agency proposes to adopt, amend or repeal; 2) the laws authorizing the agency action; 3) the complete text of proposed rules; 4) if applicable, a small business economic impact statement; and 5) agency staff that the public may contact about the proposed rules. A proposed rule notice also includes the date and location of a **public hearing** to take formal comments about the proposed rules, the deadline for written comments, and where written comments may be sent.

An **"Expedited Rule"** is a **CR-105 Expedited Rule-Making** notice, filed per RCW 34.05.353. An agency may use this process to notify the public that it intends to adopt, amend or repeal very limited types of rules without accepting public comments or holding a public hearing. An expedited rule notice contains a description of the rule, the laws authorizing the agency's action, and the complete text of the proposed new or amended rule, or the citation and caption of rules being repealed. Within 45 days after the expedited rule notice is published in the State Register, anyone may file a written

WAC Chapter or WAC #	Chapter or Subpart Caption	Subject Matter or WAC Section Caption	Description And Program Contact Person	Current and Pending Activity			
				Emergency Rules	Preproposal Notice	Proposed Rule	Permanent Rule

objection to the agency using the expedited rule-making process to adopt the rule. If a written objection is received, the agency must file a CR-102 proposed rule-making notice, invite public comments and hold a public hearing on the proposed rule before adopting it as permanent. If no objection is received by the deadline, the agency may adopt the rule as permanent by filing a CR-103 permanent rule-making order.

A **"Permanent Rule"** is a **CR-103 Rule-Making Order**, filed under RCW 34.05.360 and 34.05.380. A permanent rule is the official notice that an agency is adopting as final new, amended or repealed rules, completing the rule-making process. A permanent rule order includes the purpose of the rule-making order, the laws authorizing the agency's action, and when of the permanent rules will take effect. The permanent rule includes the complete text of the new or amended rules, or the citation and caption of rules being repealed. Agencies also may use a CR-103 notice form to adopt temporary *emergency* rules (see below).

An **"Emergency Rule"** is also a **CR-103 Rule-Making Order**, filed under RCW 34.05.350 and 34.05.380. An emergency rule may be used to meet an urgent public health, safety or welfare need, or if the rule is needed immediately to meet a requirement of a federal or state law, or a deadline for receiving federal funds. Emergency rules take effect as soon as they are filed with state Code Reviser, or a later date if appropriate, and are effective for 120 days. Emergency rules may be extended in certain circumstances. Emergency rules may not become permanent rules unless the agency files a preproposal notice and/or a proposed rule notice as applicable, invites public comment on the proposed rules, conducts a public hearing, and complies with other applicable rule-making statutes.

"Rules" as used generally in this document are the Washington Administrative Code, also known as WAC or regulations, and are adopted by state agencies according to the Administrative Procedure Act, chapter 34.05 RCW. References to "federal rules" are U.S. government regulations, also known as the Code of Federal Regulations, or CFR.

State **"Statutes"** are laws adopted by the Legislature and signed by the Governor, or may be initiatives adopted by the state's voters, and are codified as the Revised Code of Washington (RCW). Recent state statutes may also be identified as "session laws," for example: "chapter 140, Laws of 2003," or by legislative bill numbers, such as "ESSB 6387."

All DSHS rule-making notices and adoption orders are filed with the state Office of the Code Reviser for legal publication in the Washington State Register, and are available to the public. Interested persons, businesses, organizations, local governments and agencies may receive copies of DSHS rule-making notices by postal mail or e-mail by contacting Fred Swenson at the DSHS Rules and Policies Assistance Unit, 360-664-6097, or at SwensFH@dshs.wa.gov. This document is also available from the DSHS public website, at <http://www1.dshs.wa.gov/msa/rpau/>.